

Counsel Listed on Signature Page

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

CRYPTOGRAPHY RESEARCH, INC.,

Plaintiff,

v.

VISA INTERNATIONAL SERVICE
ASSOCIATION,

Defendant.

Case No. C 04-04143 JW (HRL)

**STIPULATION AND ~~(PROPOSED)~~ ORDER
REGARDING HEARING ON PLAINTIFF
CRYPTOGRAPHY RESEARCH, INC.'S MOTION
TO COMPEL PRODUCTION OF VISA U.S.A.
DOCUMENTS BY DEFENDANT VISA
INTERNATIONAL SERVICES ASSOCIATION AND
ITS AFFILIATE VISA U.S.A., INC.**

Judge: Hon. Howard R. Lloyd

FENWICK & WEST LLP
ATTORNEYS AT LAW
MOUNTAIN VIEW

1 Plaintiff Cryptography Research, Inc. ("CRI"), Defendant Visa International Service
2 Association ("Visa International") and Visa U.S.A., Inc. ("Visa USA") submit the following
3 Stipulation and Proposed Order concerning scheduling of the hearing on CRI's Motion to Compel
4 Production of Visa USA Documents by Defendant Visa International Services Association and its
5 Affiliate Visa USA, currently scheduled for February 14, 2005.

6 **RECITALS**

7 On January 10, 2006, CRI filed a motion to compel production of Visa USA documents
8 from Visa International and Visa USA. In the motion to compel, CRI asserted that Visa
9 International controls Visa USA documents, and is thus obligated to produce them. CRI further
10 asserted that Visa USA's objections and refusals to produce certain categories of documents were
11 without merit. Visa International and Visa USA dispute the assertions in CRI's motion.

12 On January 17, 2006, Visa USA, through new counsel engaged after the meet and confer
13 efforts prior to the filing of CRI's motion to compel, wrote to CRI's counsel, stating that he
14 represented Visa USA and that he believed "the issues raised by the motion can be narrowed, if
15 not eliminated, through further dialog." On January 19, 2006, Visa USA represented that "Visa
16 USA has agreed to produce non-privileged responsive documents (if any are located) in response
17 to each of the categories addressed in the pending motion." Visa USA further represented that it
18 would clarify its position by serving amended responses to CRI's subpoena.

19 Visa International and Visa USA have requested that CRI postpone or withdraw CRI's
20 motion to compel. Based on this request, and the representations made by Visa USA's counsel,
21 CRI is willing to stipulate to a 2-week continuance of the hearing on its motion to compel to
22 permit the parties to further attempt to narrow or eliminate the issues regarding Visa USA
23 documents.

24 **STIPULATION**

25 Based on the foregoing, the parties stipulate that:

26 1. The hearing on CRI's Motion to Compel Production of Visa USA Documents by
27 Defendant Visa International Services Association and Its Affiliate Visa U.S.A., Inc. shall be
28 continued to February 28, 2006.

2. Oppositions to CRI's Motion to Compel Production of Visa USA Documents by Defendant Visa International Services Association and Its Affiliate Visa U.S.A., Inc. shall be continued to February 7, 2006. The deadline for CRI's reply shall be continued to February 14, 2006.

IT IS SO STIPULATED:

Dated: January 23, 2006

FENWICK & WEST LLP

By: /s/ Jedediah Wakefield

One of its attorneys

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Dated: January 23, 2006

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By: /s/ Willard Burns

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Dated: January 23, 2006

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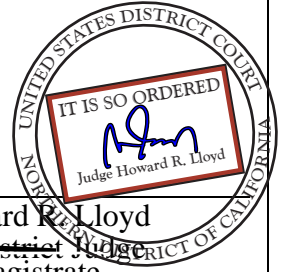
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IT IS SO ORDERED

Dated: 1/24/06 _____

By: /s/ Howard R. Lloyd

Honorable Howard R. Lloyd
United States District Judge
Magistrate



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